DRAFT – April 21, 2015, Revised May 5, 2021
Virginia Department of Environmental Quality - Hazardous Waste Program
Aerosol Can Management

Purpose

The purpose of this document is to provide compliance assistance to Virginia facilities that generate discarded aerosol cans and information on how those discarded aerosol cans may be managed to meet the requirements of the Virginia Hazardous Waste Management Regulations. The information in this document does not apply to persons generating household hazardous waste as defined in 40 CFR §261.4(b)(1).

A flow diagram, which summarizes the decision points and applicable requirements, has been provided at the end of this document.

This information is provided for compliance assistance purposes only by the Virginia Department of Environmental Quality (DEQ). This is not a regulation and, therefore, does not add, eliminate, or change any existing regulatory requirements. The statements in this document are intended for informational purposes only.

Discussion

Discarded aerosol cans may contain unused product and excess propellant. As a result, discarded aerosol cans may be regulated as a hazardous waste due to the following:

- The chemical product that was contained within the can;
- The compressed gas used as the propellant; and/or
- The can itself (e.g., potential to be reactive).

An intact, discarded aerosol can is considered a hazardous waste if:

- The can contains a U-listed chemical and/or;
- The can contains a P-listed chemical or the residue of a P-listed chemical, and/or;
- The product, propellant or the can itself exhibits one or more of the characteristics of hazardous waste as defined in Subpart C of 40 CFR 261.

Aerosol cans are considered "RCRA Empty" (40 CFR §261.7) when:

- The product has been expelled from the can and only residue remains and/or any liquids remaining in the can have been otherwise removed (Note: this does not apply to cans that previously held P-listed chemicals); and

- The pressure in the can approaches atmospheric pressure.

How to meet the RCRA Empty standard:

In order to meet the requirements above, the conditions below must be met with the second condition being met in all cases.

- A can is empty when the product has been completely sprayed out as a result of normal use and minimal or no product remains in the can. (Note: Do not deliberately spray out contents to empty the can. Use the product only for the intended purpose.)
  AND/OR
- An aerosol can puncturing device has been used to remove any remaining liquids from the can and/or to depressurize the can. It is recommended that the device:
  - Be designed for the purpose of puncturing aerosol cans and be capable of capturing both liquids and gases that may be released;
  - Be operated according to the manufacturer's specifications; and
  - Be secured on a container that meets all of the container management requirements of 40 CFR §262.34(a), (c) or (d), as applicable.

Accumulating Discarded Aerosol Cans

Unless the discarded aerosol cans have been evaluated and sufficient documentation is available to demonstrate that they are non-hazardous or RCRA empty, it is assumed that discarded aerosol cans are a hazardous waste.

For LQGs and SQGs hazardous waste aerosols must be accumulated in a closed container marked or labeled with:

- The words "Hazardous Waste";
- An indication of the hazards of the contents; and
- The accumulation start date.

LQGs and SQGs must also inspect containers at least weekly and keep them closed except when adding or removing waste.

Refer to 40 CFR §§262.16 and 262.17 respectively for requirements that apply to large and small quantity generators.

Satellite Accumulation

Hazardous Waste aerosol cans may also be accumulated in compliance with the satellite accumulation rules. Under these rules, up to 55-gallons (non- P-listed wastes) may be

accumulated at to near the point of generation or 1 quart of P-listed hazardous wastes). The satellite accumulation provisions may be found at 40 CFR §262.15.

For further facility-specific assistance with proper management of aerosol cans under the VHWMR including satellite accumulation provisions, please contact the appropriate DEQ Regional Office.

Management of aerosol cans after meeting "RCRA empty" Requirements

Once the aerosol can is RCRA empty it may be recycled or disposed of as solid waste. This does not apply to an aerosol can that held P-listed chemicals; these aerosol cans must be disposed as hazardous waste.

Management of Aerosol Can Contents after Puncturing

After puncturing, the liquid contents drain to a container. Generators should ensure that chemicals drained into the same collection container are compatible with one another. In addition, generators must make a hazardous waste determination for any liquids or gases removed from the cans and manage these wastes accordingly, either as hazardous waste or solid waste.

Filters

Most aerosol cans are pressurized with either flammable gases such as propane or isobutene, or with non-flammable gases such as carbon dioxide. Most commercially available equipment for aerosol can puncturing vent these gases through a coalescing/activated carbon filter. When disposed, these filters may be a characteristic or listed hazardous waste. As a result, generators must make a hazardous waste determination for the filters and dispose of them accordingly.

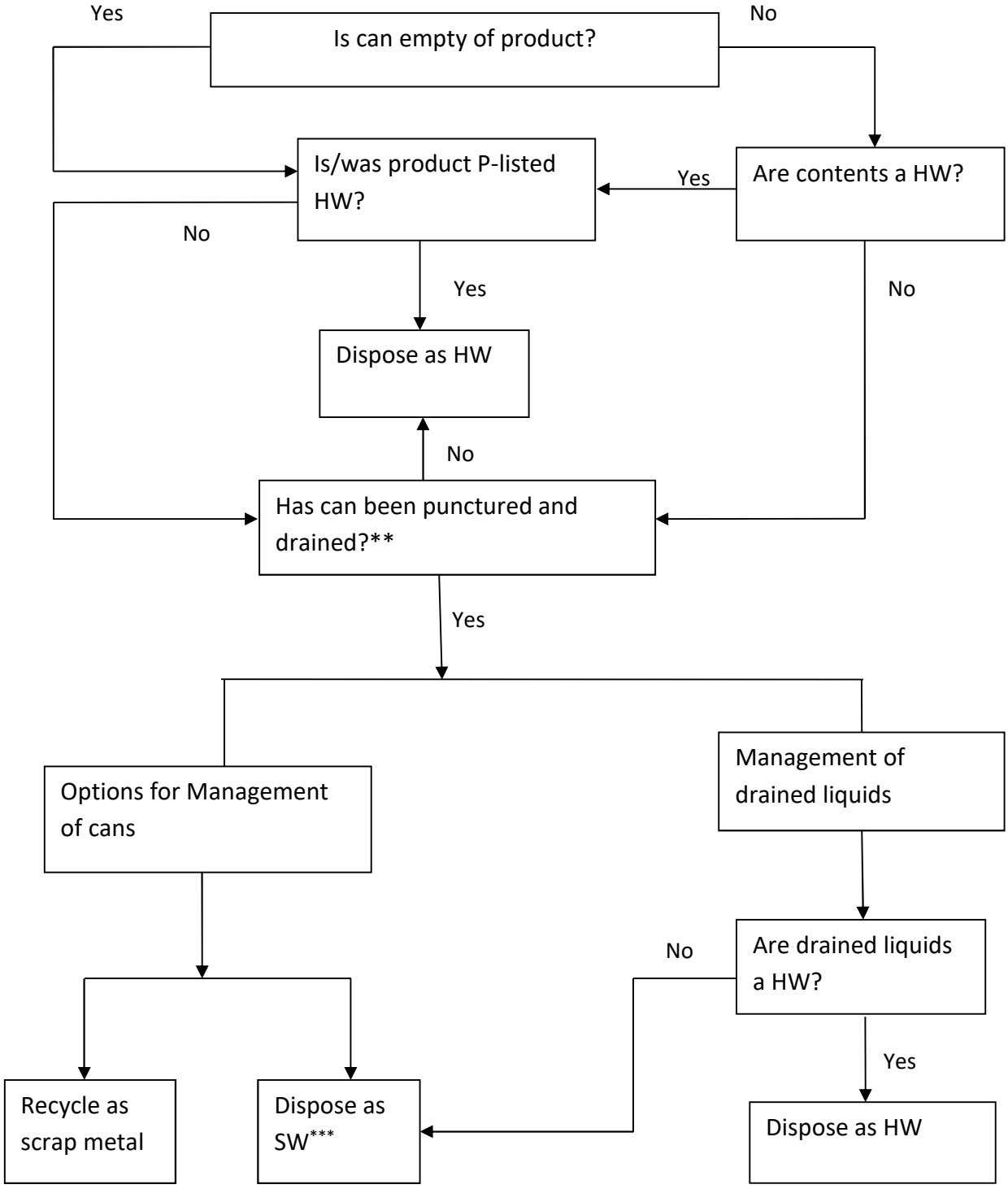
For More Information

Please contact the appropriate DEQ regional staff if you have any questions regarding applicability of these requirements to your facility.

DRAFT – April 21, 2015, Revised May 5, 2021

Virginia Department of Environmental Quality - Hazardous Waste Program

Aerosol Can Management



** Device used for puncturing must be designed for puncturing aerosol cans that captures both liquids and gases that may be released and must be operated in accordance with manufacturer's specifications.

*** Note: Solid waste landfills cannot accept free liquids. Please check with the landfill on acceptance criteria.